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IN THE UNITED STATES DISTRICT COURT  
STATE OF UTAH, CENTRAL DIVISION

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MELISSA KENNEDY; FREDERICK  
WILLARD; and THE ESTATE OF  
DANIELLE MISHA WILLARD,

Plaintiff,

vs.

WEST VALLEY CITY; SHAUN COWLEY;  
KEVIN SALMON; JOHN COYLE; THAYLE  
“BUZZ” NIELSEN; and DOES 1-10,

Defendants.

**MOTION TO STAY PENDING  
OUTCOME OF CRIMINAL  
PROCEEDINGS**

Civil No. 2:13-cv-00434

Judge David Nuffer

Magistrate Judge Evelyn J. Furse

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Defendants West Valley City and Thayle Nielsen (“WVC Defendants”) move the Court for entry of an order staying this case pending the outcome of criminal proceedings against Shaun Cowley. West Valley City Defendants join in the arguments asserted by Mr. Cowley in his Motion to Stay Pending Outcome of Criminal Proceedings ([Docket No. 58](#)). The same arguments that Mr. Cowley makes apply to the WVC Defendants because liability against them is conditioned on a finding of wrongdoing by Mr. Cowley. There can be no liability against WVC Defendants absent wrongdoing by Mr. Cowley. Mr. Cowley’s testimony is critical in

establishing WVC Defendants defenses. Any adverse inference against him could negatively impact WVC Defendants by establishing elements of Plaintiffs' claims against the City.

Therefore, the same reasons for staying the case that apply to Mr. Cowley also apply to WVC Defendants.

DATED this 2<sup>nd</sup> day of July, 2014.

SNOW, CHRISTENSEN & MARTINEAU



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Heather S. White  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 2<sup>nd</sup> day of July, 2014, I electronically filed the foregoing **MOTION TO STAY PENDING OUTCOME OF CRIMINAL PROCEEDINGS** with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to the following:

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